

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 RUTH FREDERICK, et al.,

9 Plaintiff (s),

10 v.

11 METROPOLITAN POLICE, et al.,

12 Defendant(s).
13

Case No. 2:15-CV-02201-KJD-NJK

14 **ORDER**

15 Presently before the Court for consideration is the Report and Recommendation (#4) of
16 Magistrate Judge Nancy J. Koppe entered on April 15, 2016 recommending that Plaintiffs' case be
17 dismissed without prejudice. No objection was filed.

18 The Court has conducted a *de novo* review of the record in this case in accordance with 28
19 U.S.C. § 636(b)(1) and LR IB 3-2. The Court determines that the Report and Recommendation (#4)
20 of the Magistrate Judge entered April 15, 2016, should be **ADOPTED** and **AFFIRMED**.

21 On November 25, 2015, the Magistrate denied without prejudice Plaintiffs' application to
22 proceed *in forma pauperis* and ordered Plaintiffs to either pay the filing fee or file a completed
23 application to proceed *in forma pauperis*. (#2). When Plaintiffs failed to comply, the Magistrate
24 ordered them to show cause why their case should not be dismissed and warned Plaintiffs that
25 "[f]ailure to comply with this Order will result in a recommendation to the District
26

1 **Judge that this case be dismissed.”** Id. (emphasis in original). To date, Plaintiffs have failed to
2 comply.

3 The Court agrees with the Magistrate that this disobedience of Court orders is an abusive
4 litigation practice that has interfered with the Court’s ability to hear this case, delayed litigation,
5 disrupted the Court’s timely management of its docket, wasted judicial resources, and threatened the
6 integrity of the Court’s orders and the orderly administration of justice. Sanctions less drastic than
7 dismissal are unavailable because Plaintiffs have refused to comply with this Court’s orders
8 notwithstanding the Magistrate’s warning that case-dispositive sanctions may be imposed.

9 Accordingly, IT IS THEREFORE ORDERED that the Magistrate Judge’s Report and
10 Recommendation (#4) entered April 15, 2016, are **ADOPTED** and **AFFIRMED**;

11 IT IS FURTHER ORDERED that Plaintiff’s case is **DISMISSED** without prejudice.
12
13

14 DATED this 20th day of June 2016
15
16
17

18 
19

20 Kent J. Dawson
United States District Judge
21
22
23
24
25
26